UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Court File No. 03-4098 MJD/SRN

Fish & Richardson P.C., P.A.,

Plaintiff,

vs.

ORDER TO RE-CLOSE FILE

Menard, Inc., a Wisconsin corporation,

Defendant.

The above-entitled matter came on before the Honorable Michael J. Davis at the United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415.

Based upon the Stipulation of the parties to Re-Close File:

IT IS HEREBY ORDERED:

This file, which had been closed in May 2004 and then re-opened for a motion to enforce the settlement, can now be re-closed.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

Dated: January 6, 2006 s / Michael J. Davis

Honorable Michael J. Davis

Judge of United States District Court